MR. SPEAKER : The House stands adjourned for Lunch to meet again at 2 p.m.

13.02 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

14.06 hrs.

(The Lok Sabha reassembled after lunch at Six minutes Past Fourteen of the clock)

(Mr. Deputy Speaker *in the Chair*)

[English]

RAM NAIK (Mumbai-North) : Sir, I am on a point of information. The discussion on Railway Budget is being stalled daily. Whether it will be taken up today and if so, at what time? We must have some information in this regard so that we are able to pass it on to our hon'ble members, otherwise, they are making an impression that the discusison on Railway Budget is being stalled deliberatly. We may not get time then and therefore, ...*(Interruptions)*

MR. DEPUTY SPEAKER : Nothing is done deliberatly but I myself do not have any information till now.

SHRI RAM NAIK : That is why I say that members must have information as to when discussion on Railway Budget will be taken up...*(Interruptions)*

SHRI GIRDHARI LAL BHARGAVA (Jaipur) : Or the trains have been "postponed" because of rains?

MR. DEPUTY SPEAKER : I think discussion on Railway Budget should commence after completion of this item.

SHRI RAM NAIK : What I want to urge is that we will not get time for discussing Railway Budget, nor will we get time for discussing General Budget. This situation is likely to come. In this background, discussion of Railway Budget should start at 4-5 o'clock after completing the discussion on this Bill today...*(Interruptions)*

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): Mr. Deputy Speaker, Sir, the Railway Budget is very important and we must take up discussion on it. We should complete other business before the House as early on possible. We should accord priority to Railway Budget because, therefore, we will have to take up discussion on General Budget.

MR. DEPUTY SPEAKER : The House should dicide that this Bill be passed without discussion.

SHRI MOHAMMAD ALI ASHRAF FATMI : I shall be pleased if this bill is so passed.

MR. DEPUTY-SPEAKER : You will be pleased, but I want the pleasure of all of you.

SHRI MOHAMMAD ALI ASHRAF FATMI : I think every body will be pleased. It is a very good bill...*(Interruptions)*

[English]

SHRI P.C. THOMAS (Muvattupuzha) : Sir, the Building and other Construction Workers (Regulations of Employment and Conditions of Service) Bill is also very important.

[Translation]

MR. DEPUTY SPEAKER : That is what I have said.

14.09 hrs.

STATUTORY RESOLUTION RE: DISAPPROVAL OF COAL MINES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS (AMENDMENT) THIRD ORDINANCE 1996

AND

COAL MINES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL—CONTD.

[Translation]

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRIMATI KANTI SINGH) : Mr. Deputy Speaker, Sir, this Bill is an indicator of this Government's senstivity towards coal mine workers and their families. ours is a welfare State and therefore, the Government is committed to ensure appropriate welfare of coalmine workers and member of their families. It has been our intention to provide justice to the people on the lowest rung of our social ladder. The Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948, in brief, provides for implementation of various schemes for the benefit of coal mine workers. But it does not provide for retirement pension scheme for these workers.

At present, we do have a family pension scheme which provides for family pension for the depandents of those workers who die inharness. The workers now want this scheme to be coverted into a reirement pension scheme. It is now proposed, inter-alia, to provide for superannuation, retirement pension and pension for permanently and totally disabled workers, widows children and orphans. This proposed scheme will substitute the existing family pension scheme and the entire assets and liabilities of the family pension schemes will be transferred to the proposed pension scheme.

The Central Government will continue to contribute its share as at present. The proposed pension scheme does not involved any additional recurring or non-recurring financial liability out of the Consolidated fund of India. In other words, the annual libility under 'administration' and 'contribution' heads will continue on the established pattern of coal Mines workers Family

Pension Scheme. For purpose of Pension scheme, no change will be made in the existing method of transfer of funds of workers and employers contributions to the Coal Mines Provident Fund. The workers will continue to be entitled to the Contributory Provident Fund.

The present Bill before the House has a limited objective of empowering the Central Government to implement the provisions of the Coal Mines Pension scheme. The schemes will be duly notified in the official Gazette within a specified period. The objective of the bill is the welfare of coal mine-workers. I am sure the entire House will support the measure whole heartedly.

I commend the bill for the consideration of the House.

MR. DEPUTY-SPEAKER : Motions moved :

> "That this House disapproves of the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Third Ordinance, 1996 (No. 22 of 1996) promulgated by the President on 20 June, 1996."
>
> "That the Bill further to amend the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948, be taken into consideration."

Shri Basu Deb Acharia, are you moving your amendment?

SHRI BASU DEB ACHARIA (Bankura) : Sir, I beg to move :

> "That the Bill further to amend the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948, be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House namely :—
>
> 1. Shri Chitta Basu
> 2. Shri Sunil Khan
> 3. Shrimati Geeta Mukherjee
> 4. Shri Hannan Mollah
> 5. Shri Sanat Kumar Mandal
> 6. Shri Haradhan Roy
> 7. Shrimati Kanti Singh
> 8. Md. Taslimuddin
> 9. Shri Mehaboob Zehidi
> 10. Shri Basu Deb Acharia
>
> and 5 from Rajya Sabha;
>
> that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;
>
> that the Committee shall make a report to this House by the first day of the next session;
>
> that in other respects the Rules of Procedure of this House relating to Parliamentary Committee shall apply with such variations and modifications as the Speaker may make; and
>
> that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee." (4)

[Translation]

SHRI GIRDHARI LAL BHARGAVA : Mr. Deputy Speaker, Sir, the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Act, 1948 earlier provided for grant of Family pension and benefits of life insurance. Now, the Government is making provision for grant of half-yearly pension, widow pension, widower pension and pension to the dependents in case of death of the worker. What I want to submit is that this bill has been brought here earlier many a time but was never passed. The Bhartiya Magdoor Sngh, the Hind Mazoor Sabha, The INTUC, etc. all have been demanding passage of this bill but it was always stalled. Government promulgated 2-3 ordinance but the bill was stalled. It is a matter of satisfaction that at least after fifty years, Government's attention has gone towards unorganised labour, construction workers who have built big buildings. The Parliament House was build by labourers of Jaipur, the President House was built by Jaipur artisans and, if are not wrong, the pillar in Rashtrapati Bhavan was also built by them.

MR. DEPUTY SPEAKER : Please speak on coal mines.

SHRI GIRDHARI LAL BHARGAVA : I am talking of labourers. I will speak about coal mines. I have been to Bihar, I belong to Bihar. When I was in Public Accounts Committee, I had inspected coal mines from inside. He thinks I come from Rajasthan and I have no knowledge of mines. ..*(Interruptions)* Rajasthanis are spread all over the country and Rajasthani is the biggest coal dealer. Suresh and Co. is one of the Coal dealers. He brings coal from Bihar and supplies it to other parts. He lives in an old basti. All this joli is done by the Rajasthani people. The bill has been brought with good intentions, alas belatidly. It does not contain any provision for agricultural labour, unorganised labour. The Government has caused great loss to the labour by delaying this bill. Working in mines is very dangerous. Mr. Deputy Speaker, you might not have entered mines ever!

MR. DEPUTY SPEAKER : I have gone into the mines, I have seen them.

SHRI GIRDHARI LAL BHARGAVA : What I want to submit is that working in mines is a very difficult job. Many big buildings have been constructed over them. They will cave in if the mines cave in. The workers working in mines risk their life, they work in adverse

conditions. This is a very good bill so far coal mine workers are concerned. I congratulate the lone woman Minister in the government for bringing this welfare bill. However, there are many labour unions connected with mines and they desire that there legislation measures should be discussed with them. Since this bill has been brought after fifty years in the interest of mine works and since we have always been neglecting them so far, it would be desirable to discuss the provisions of this bill with the representatives of various labour unions such on INTUC, BMS, CITU and incorporate in it any improvement suggested by them. She must ensure that this does not remain a half-hearted measures. I support this bill but would like that any amendment proposed in the interest of the workers be incorporated in it. I think the hon. Minister has stolen a very big opportunity. She comes from Bihar where coal mines are located. She knows what improvement can be made in the bill in the interest of mine workers. I hope she would make it more responsive to the coal mine workers and add to it whatever five amendments are proposed.

I thank you for giving me time to speak. All the hon. Members, with a few interruptions tried to listen to me and I forgive them for those interruptions. With these words I conclude.

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Mr. Deputy Speaker, Sir, I rise to support the Bill, which is before the House, to replace the Ordinance promulgated on three occasions. The first Ordinance was promulgated on 5th January, 1996; the second Ordinance was promulgated on 20th of June, after this Government took charge of the administration.

Sir, I congratulate the present lady Minister in charge of the Bill, and my thanks are also due to the previous Minister of Coal, Shri Jagdish Tytler. At one stage, the Statement of Objects and Reasons, dated 4th December, 1995 bore the name of Shri Jagdish Tytler. Last year, that is, 1995, is a memorable year for the workforce of this country. Several long standing demands of the labour community, that is, industrial labour, coal labour etc., were considered favuourably and, accordingly, legislations were prepared. The long standing demands like provident fund, pension, gratuity etc., were settled. I would say that 1995 is a landmark year from the point of view. Anybody can admit that.

Whenever there is an Ordinance, without looking at the urgency, utility which necessitated the promulgation of an Ordinance, which class is being benefited, who are the persons being benefited, without considering all these things, Shri Girdhari Lal Bhargava and his company, of late, Justice Lodha joined them, in a very regular way or habit or approach disapprove it most of the time.

MR. DEPUTY-SPEAKER : There is a provision in the rules, and they are utilising it.

SHRI SRIBALLAV PANIGRAHI : Mr. Deputy-Speaker, Sir, there are so many rules in the Rule Book; it contains everthing....*(Interruptions)*

[Translation]

SHRI GIRDHARI LAL BHARGAVA : Though we have disapproved this ordinance, yet we have supported the Bill...*(Interruptions)*

SHRI SRIBALLAV PANIGRAHI : Now he is supporting the Bill...*(Interruptions)*

SHRI GIRDHARI LAL BHARGAVA : The tendency of issuing of ordinances time and again is not good...*(Interruptions)*

PROF. RASA SINGH RAWAT (Ajmer) : My submission is that good means should be adopted for good ends ...*(Interruptions)*

SHRI SRIBALLAV PANIGRAHI : Good work is not done through ordinances.

JUSTICE GUMAN MAL LODHA : Mr. Deputy Speaker, when we demand zero hour it is denied. Now see it is going on.

[English]

SHRI SRIBALLAV PANIGRAHI : Tell me, whether I am correct or not, how

[Translation]

the Parliament is functioning, how the proceeding are going on...

[English]

You kindly see any time that Ordinances are hardly placed here. And if they are placed here, they are re-placed also.

MR. DEPUTY-SPEAKER : This is not correct. Please listen to me. The Government

[Translation]

can bring the bill straightaway if there is no motion of disapproval of the ordinance.

[English]

SHRI SRIBALLAV PANIGRAHI : I know that. But what is the practice?

[Translation]

MR. DEPUTY SPEAKER : It is all right.

SHRI SRIBALLAV PANIGRAHI : They should be placed here.

MR. DEPUTY SPEAKER : That is all right.

[English]

SHRI SRIBALLAV PANIGRAHI : There is a constraint of time. This is our experience. I am speaking here from my experience. Whenever there is an Ordinance, that

gets priority in the List of Business because within a certain stipulated time, it has got to be replaced.

MR. DEPUTY-SPEAKER : Please come to the point.

SHRI SRIBALLAV PANIGRAHI : I am coming to the point. I would like to remind the hon. Members of the House who were Members of the Tenth Lok Sabha also, that it was introduced in this House in the month of December. But then due to turmoil, disturbance and various other reasons, no such business could be transacted in the House. What was the urgency? The work force was getting rustic, restless and there was an agitation for dealing with these things in a proper way. The demands were genuine, long-standing and legitimate ones. They had given a notice for a strike starting from 7th of January. Therefore, the Government with the best of intentions, had to come out with an Ordinance. This was the year of elections and the House could not meet. Before the expiry of the time for the Ordinance, it was required to be promulgated again. Although elections were held and the democratic Government was installed, yet till the second session, there was only one item in the agenda, that is, the Confidence Motion. That necessitated the promulgation of the Ordinance for the thrid time. So this is how it happened. We cannot find fault with the Government for bringing it in the form of an Ordinance.

Coming to the Bill itself, this is a very very simple Bill. I would say that this is a very important Bill as it is looking after the interests of the labourers, that too coal workers, who are exposed to the vagaries of nature, to a great extent. You know about the working conditions of the coal-mine workers. They are at great risk. Everyone who knows about this truth, has to sympathise with the cause of the labourers working in the coal-mines. They go under-ground and nobody knows what happen to them, whether they would return safe or not. In many cases, bed news also comes. Therefore, the purpose of the Bill is extremely limited. This is only an enabling provision.

The present Act is called the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948. In this Act, there was a provision that the provident fund scheme, family pension scheme etc., would be framed. Although this provision had been in existence, in this Act, since the begining of 1948, yet this family pension schemes was not introduced till 1971.

In 1971 under the relevant provision of this Act for the first time Family Pension Scheme was framed and introduced. But that did not meet the requirement of the situation. Since 1971 till date about 25 years have elapsed. Meanwhile a sea-change has taken place everywhere.

This Family Pension Scheme has very very limited scope. What was the advantage that accrued to the coal miners? Only when somebody dies in harness, while on duty, then his widow was eligible for some pecuniary benefits. As I was discussing about it, it had come to my notice that a very limited paltry sum of Rs. 100 to Rs. 150 was the monthly benefit that accrued to the widow of a coal miner who died in harness. Nothing beyond that; nothing more than that. Therefore this was agitating the minds of trade unionists. This was agitating the labour class, particularly the coal miners. Around 1988 when the JBCCI, the Joint Bilateral Committee for Coal Industry of India, was having its deliberations regarding their wage etc., it was very much emphasized upon that this Family Pension Scheme would no more do good to them. Instead there should be a regular pension scheme. About the regular pension scheme also the Labour Ministry has done a commendable job last year and also promulgated an ordinance which benefited a large number of labourers in different sectors. The coal industry is slightly different. They have their own legislation; they have their own provisions. Accordingly the Coal Minor's Provident Fund Board also recommended that there should be an amendment and the amendment is before us which, if passed, would remove the hurde which comes in the way of amending or framing a Family Pension Scheme. Now instead of Family Pension Scheme, it will be a regular pension scheme that the Government would be framing. This is the purpose. So, where is the scope to oppose this Bill? Absolutely there being no scope for it. It should be passed unanimously.

The only thing is, when such an opportunity is there, when such an occasion arises in Parliament, we take advantage of the same to give some suggestions as to what sort of provision should be there in the new scheme. I would to that very briefly. In 1971 when this Family Pension Scheme was introduced, the beneficiaries or the workers used to contribute to their provident fund 8.33 per cent of their salary. Then it was raised to ten percent of their salary. That ten percent had a matching share given by the company. Out of whatever is collected in this process through provident fund, 1.1/6 percent was the labourers' share and 1.16 was the share of the company.

The Government does not contribute anything to the Provident Fund, but to the Family Pension Fund, which was created in 1971, the contribution of the Government is 1.23 percent. Again, it was decided that instead of keeping it at this level of 1.23 per cent, it should be raised to two percent. Indeed a large number of labourers have contributed accordingly up to two percent also. But what happend was that the Government did not approve of that.

We are told that Coal India Limited is the holding company and the subsidiaries are autonomous in nature. I do not know what sort of an autonomy do they enjoy. The Government does not approve of their contribution to the tune of two percent. This means, raising the level from 1.23 percent to two percent was not approved of by the Government. Why should it be like this? When workers raise the quantum of their

contribution, them, why does not Government and why does the company not raise the quantum of their contribution? This is one of the points that I place for the consideration of the hon. Minister.

MR. DEPUTY-SPEAKER : Please conclude. There are others who also want to join the discussion.

SHRI SRIBALLAV PANIGRAHI : There is a provision, where, after this new scheme is introduced, whatever is left out will come from the new Pension Fund. I understand about Rs. 1100 crore remains unspent. Now, it has been collected by way of contribution from three sources: labourers and companies, that is the employees and the employers, and Government. The Government should contribute whatever it could, even at an enhanced rate.

As I said already, power holds the key to the success, progress and prosperity of our country. What remains behind this energy? Coal. Coal in the raw material for power industry. And for coal industry, what is the raw material? Land is the raw material. Thus, land is the raw material for coal, industry and coal is the raw material for power industry. About two-thirds of the power generated in the country comes from coal. In other words, thermal power accounts for about two-thirds of our total power generation. So, coal will pay a very, very dominant role in the energy sector in the days to come.

I am reminded of one important aspect now. About twenty-three years ago, in 1972-73, Madam Indira Gandhi was the Prime Minister. I pay glowing tributes to her memory and her dynamic leadership. She decided to nationalise the coal industry because of her concern for the welfare of the suffering coal mine workers. At that time Shri Mohan Kumaramangalam was the Minister for Coal.

He was in-charge of Coal and Mines. I think there were mainly three objectives which led the then Government to take this decision, the decision to and the exploitation of the workers of coal mines by the owners. Preventing exploitation, providing better working conditions and taking care of the workers were the main objectives.

The industrialists, the private owners of coal mines used to operate the coal mines as long as the mines were profitable. If they were not profitable, they used to leave them high and dry. After that they adandoned them...*(Interruptions)* Today, what is the challenge before this industry? There is a challenging situation before this industry. We are forgetting the noble objects underlying the nationalisation of coal industry. But today what have we done? We have changed our laws and we have amended our laws in order to permit the private owners to come. If they want to set up thermal power plants, they can go there and start doing mining. But that is not proper. It should be given to the private sector. That is one aspect. Again, the Government is thinking of bringing it in joint sector. Thirdly, we should know that there are several problems involved or associated with it, like land acquisition, land oustees, environment etc.

I would like to plead that coal industry should, by and large, continue in the public sector because of the different types of peculiarities associated or involved in this industry. As I have already said, there are peculiarities such as the sufferings of the workers, the problems of the land oustees, the problems of environment etc. I have already raised this environmental problem. You may kindly recall that. It is not the first time that I am talking of it. Previosly also I have expressed my reservations on this question.

We should raise our productivity. We have to raise our productivity. And while raising productivity, we have to see that competitiveness is also established. It should not be politicised. The Minister hails from Bihar and Bihar is the kingdom of coal empire and Bihar is the centre of coal empire. Now, what is happening there? the industries are becoming sick one after the other. BCCL became sick and now CCL is going to be sick. Heavy loss is being incurred by CCL. It is my main concern. It should be continued in the public sector. But at the same time it should be profitable. Three years back it was found that the loss accumulated was Rs. 2,400 crore. Coal India Limited is running profitably. It is a profitable organisation. So, there should not be politicisation. See what is happening in the coal mines situated in different areas. There is the problem of local goondaism, this and that etc. These things should be checked ruthlesely and drasticaly and competitiveness should be encouraged. Productivity should improve. Wastage should be curtailed. This is a challenging task. I would like the hon. Minister to address herself to all these problems. As I said earlier, she belongs to Bihar. We expect that there should be overall improvement in the working of the coal industry.

Let me come to my last point. Sir, we are told that the subsidiary coal companies are enjoying autonomy. when there are some faults with them, they say that they are autonomous, but when some good things are done, they take the credit.

But, at the same time, three or four months back, a decision has been taken for partial deregulation of prices of certain quality of coal. But in our own State, so far as Mahanadi Coalfield is concerned, this is not the way because we do not find it, in any way, helpful to the interests of that industry there. So, naturally without looking at the problems of every company, they should not impose anything from Shastri Bhavan here or from 10, Nataji Subash Chandra Road, Calcutta. What I want to say is that should be realistic about what sort of situation is prevailing in a particular coal area and in a particular coal company. They should also be left free to take decisions about all these things.

With this, I would like to congratulate her for whatever role she has got in this Bill. Anyway, it is she who is piloting this Bill. I congratulate her. This is her maiden speech. This is her first Bill which she has intoduced. I wish her good luck in running this industry purposefully, effectively and taking it also a height of prestige without much of interference and also seeing that all sorts of local *goondaism*, political interference and all these things should be put an end to.

[Translation]

SHRI VIRENDRA KUMAR SINGH (Aurangabad) : Mr. Deputy Speaker, Sir, first of all, through you, I would like to congratulate the hoin. Minister for bringing this Bill within a few days of assuming charge which meets the long standing demand of coal mine workers. The provisions of this Bill will make the coal mine workers entitled to pension on retirement. Mr. Deputy Speaker, Sir, the situation prevailing in the coal industry should be viewed seriously. The steel plants depend on coal industry, the power plants depend on coal industry, but its condition is pitiable. Unanimous passage of this bill at this juncture will enstill confidence among the coal mine workers, it will fulfil their hopes and aspirations. However, I would like to draw the attention of hon. Minister to some other aspect of coal sector. At present coal royalty is paid on weight basis and this needs revision of royalty every now and then. In order to make the coal industry more viable, the royalty should be linked with price. Mr. Deputy Speaker, Sir, I support this bill wholeheartedly which is going to benefit coal mine worker, although it has been brought after the workers went on strike. I hope this Bill will be passed by the House unanimously.

SHRI BASU DEB ACHARIA (Bankura) : It is being said that is the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Bill introduced by the hon. Minister, the previous Government had also some contribution. But the history of Coal Mines Provident Fund, and coal Mines workers Pension bill has been of full of struggles. An agreement was signed in 1984 after discussions with various trade unions of Coal mine workers. It was agreed that a Pension Fund would he created in which the mine workers will contrubute 2% of their salary and another 2% will be contributed by the employer, but this agreement was not implemented till 1989. Deduction from the salary of workers had started but the management failed to contribute their share as per the provisions of the agreement, as a result of which, the workers resorted to strike not once or twice but several times.

14.51 hrs.

(Shri Chitta Basu *in the Chair*)

The NCWWA-3 Agreement signed in 1984 between various Coal Mine Trade unions and management was not implemented and the workers had to resort to strike several times which forced the Governemnt to prepare a Draft scheme which was circulated to all concerned. The Scheme contained some enabling provisions. The scheme contained some enabling provisions. I would seek an assurance here from the Government that the said scheme would be revised in consultation with all the concerned Trade unions. The old draft scheme was opposed by CITU and Hind Mazdoor Sabha who observed a strike and the strike was very succesful. Some other Trade Unions also opposed it and observed strike, but the same has not been implemented so far.

I would like to quote the minutes of the meeting held at that time between the representatives of Trade Unions and the management. I quote :

[English]

> "The representatives from trade union explained in detail the historical background of the pension issue. They stated that in NCWA-III, it was agreed to evolve a retirement benefit/pension scheme with contribution of two per cent of wages per month by workers and management, namely, a total of four per cent. Accordingly, the deduction of four per cent from workers' wages started with effect from 1st April, 1989...
>
> Subsequently it has been decided that the scheme will be prepared under the auspices of the Coal Mines Provident Fund Organisation converting the existing family pension into retirement pension after taking into consideration the accumulated amount under Family Pension Fund as well as two per cent contribution made by the workmen of the coal industry. The regular funding of the Pension Fund will be made from four percent contribution to the family pension scheme; two percent from the employees and one annual increment which has been included in the Memorandum of Understanding for the purpose with effect from 1.7.96".

Sir, the draft scheme which was submitted amongst the unions was a clear departure from the agreement which was arrived at in 1989 under NCWA-IV. Our objection lies there. What we found in the draft schemes was that 1.16 percent of the emoluments would be from the member and 1.16 percent would be from the employer.

[Translation]

This is draft scheme. We oppose it. It should be revised and the contribution of 2% agreed upon under agreement NCWA-III of 1984 should be incorporated in it.

Then, in the Family Pension Scheme, the total accumulated amount is Rs. 888 crore.

[English]

The entire amount should be transferred to Pension Fund. But that is not their in the Pension Scheme.

[Translation]

It has been said in the Financial Memorandum that the Central Government may after due approriations made by Parliament by law, pay to the proposed Pension Fund. However, this amount will remain at the existing level of contribution to the Family Pension Fund, the entire administration expenses of proposed Pension Fund will be born fully by the Central Government. It is estimated that it will involve an annual recurring expenditure of Rs. 28.42 crore both by way of administration expense and countribution to Pension Fund. What will happen to Rs. 800 crore? This deposit belongs to workers. It is not included in the Draft Scheme. The entire amount should be transferred to the Pension Fund. A revised draft Scheme should be prepared in consultation with trade unions and then circulated. This has not been done. The JBCCI is a permanent body of Coal Mine workers and the management.

[English]

The JBCCI Meets very frequently. But when this draft scheme was circulated that draft scheme was not approved by the JBCCI and without the approval of the JBCCI that draft schemes was circulated among the trade unions and we objected to that. Only CITU, our trade union body, opposed that. That draft scheme should have been approved by the JBCCI but it was not done before it was circulated.

15.00 hrs.

I urge upon the hon. Minister to prepare a draft scheme, get it discussed here and then finally revise it. This showing not be a part of this Bill. This is an enabling Bill. The provisions, that are provided in the Bill, should be revised.

[Translation]

There is not much to speak about it. Whatever knowledge I have about Coal mine workers I am touching only those points.

[English]

MR. CHAIRMAN : There is another Member from your Party who also wants to speak. Please leave some points for him also.

[Translation]

SHRI BASU DEB ACHARIA : I have just started, Sir. Please allow me some more time. Shri Panigrahi spoke for 45 minutes. You should give me at lease half an hour.

In this Provident Fund Scheme, I suggest 1971 as the cut-off year.

[English]

The cut off year is 1971. That was the time when the Coal mines were first nationalised. Then, in 1973, first the coking Coal mines and then the non-coking coal mines were nationalized.

[Translation]

This is a Pension Scheme which is being discussed. The pension scheme adopted for other industries is being opposed vehemently. Why should it be compulsory! This should be made optioned. Those who wish to join it can join, and those who do not want to join, should have the option not to do so.

[English]

There are some nationalised organisations. The Natural Coal Development Corporation (NCD) is a nationalised Coal Company. The Coal Board is another such organisation. These two organisations merged with Coal India Ltd. I would suggest that the employees of NCDC and the Coal Board should also be allowed to join, if they so like. There is a Trustee Board.

[Translation]

There is a Pension Trustee Board in which all Trade unions except CITU and H.M.S. are represented. I do not know the reasons for their exclusion.

I hope all the Trade Unions will be given representation in the Trustee Board. All those who are members of JBCCI should be represented in the Trustee Board.

Sir, the Provident Fund has another flaw. The minimum period for becoming entitled to these benefits has been prescribed in 10 years. This will not do.

[English]

Among the coal workers, CITU has a large following. HMS also has a big influence. In spits of that, their representatives are not there in the Trustee Board.

According to the proposed scheme, if a worker dies or becomes disabled in an accident or otherwise within 10 years of service, he does not get any benefit from the scheme.

[Translation]

I suggest this should be revised. If it becomes due before 10 years...*(Interruptions)*

SHRI RAMENDRA KUMAR (Begusarai) : Mr. Chairman, I have a point of order. We are discussing the bill but the hon. Member is speaking on the scheme which has not been circulated as yet and it is premature to discuss it. Discussion should confine to the provisions of the bill..*(Interruptions)*

SHRI BASU DEB ACHARIA : There is no need to discuss the bill. *(Interruptions)* I am giving my suggestions. The scheme had been circulated earlier.

[English]

SHRI RAMENDRA KUMAR : The scheme has not yet been circulated.

SHRI BASU DEB ACHARIA : The scheme has been circulated. I have copy of the draft scheme which has been circulated in the month of January.

JUSTICE GUMAN MAL LODHA : Say that the scheme must be made a part of the Act rather than a subordinate legislation, or rather than leaving it to discretion. The scheme should be made a part of the Bill so that we can first took an amendment.

SHRI BASU DEB ACHARIA : Yes. If it is made a part of the Bill, we can discuss and make our suggestions.

MR. CHAIRMAN : Shri Acharia, you have made your point. You want that the scheme should be made a part of the Bill and you are entitled to say that. Please address the Chair while speaking.

(Interruptions)

SHRI BASU DEB ACHARIA : The Government will have to come to the House for approval of the scheme.

MR. CHAIRMAN : Please do not answer the hon. Members. You say whatever you have got to say.

[Translation]

SHRI BASU DEB ACHARIA : The second point is that the NCWA-5 has been implemented now after waiting for 2 1/2 years, after resorting to strike, after struggling hard....*(Interruptions)* It does have an impact. It may not have in Mahanadi Coal field, it does have had in BBCL, CCS, ECL...*(Interruptions)*

[English]

MR. CHAIRMAN : Mr. Acharia, please address the chair. You are not required to answer the questions.

[Translation]

SHRI BASU DEB ACHARIA : This not so. Why were the Coal mine workers made to went for 2 1/2 years.

[English]

Before the expiry of the term of one wage agreement, the next agreement is not finalised.

[Translation]

This is not done elsewhere, it is not done in BHEL, then why such treatment with mine workers who are 8 to 10 lakhs in strength? Why the women workers of Coal mines are being treated like this?. .*(Interruptions)* We know about mafias. I shall speak about them also ...*(Interruptions)*

[English]

MR. CHAIRMAN : The time allotted for this Bill is one hour and that one hour is over. I do not want to restrain you from speaking, but bear in mind that there are other Members also to speak on this Bill.

[Translation]

Others also have to speak. I request you please be brief.

SHRI BASU DEB ACHARIA : One hour was given for discussion on Judges Bill. Today, we are discussing the bill involving the interest of 8 lakh Coal mine workers. What treatment is being meted out to these workers...*(Interruptions)*

[English]

MR. SPEAKER : Hon. Members are requested kindly to allow him to speak. Shri Shriballav Panigrahi, please allow him to speak. Mr. Basu Deb Acharia, just address the Chair.

[Translation]

SHRI BASU DEB ACHARIA : What I want to submit is that the scheme should be framed properly. I have given an amendment in this regard and have suggested that the bill be referred to a Joint Select Committee. We have been waiting for 10 years. An agreement was signed in 1984. Discussion on new Scheme started in 1989. We can wait for one-two months more. Please bring a comprehensive bill. We want that the Draft Scheme should be finalised before this bill is passed. It should be incorporated in the bill. Yesterday, during discussion on Construction workers bill, many good suggestions were given and were accepted by Government. We are not opposed to this bill. But a revised Draft Scheme will have to be prepared before this bill is passed. Pension schemes are in force in other industries. Similar Pension Scheme should be introduce in coal industry also. The problems being faced by coal mine workers today will also have to be attended to.

With these words, I conclude.

MR. CHAIRMAN : Please be brief.

SHRI R.L.P. VERMA (Kodarma) : Mr. Chairman, Sir, my friends have taken much time but I shall be very brief.

The Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Bill, 1996, which has been brought here can help the workers partly. As Shri Basu Dev Acharia has said, it is not a comprehensive Bill. There are so many issues which do not do justice to the workers. It should be made more comprehensive. The service conditions etc. of these workers are not good. Fifty Percent workers do not have houses to live in after putting in so many years of service. As for creation of pension fund, it will be created by contribution from the workers. There is total lack of amenities. In case a worker becomes permanently disabled, his dependant is given job under provision 9:4.3 while in other services, the dependant of the worker is gauranteed employment after his retirement. But there is no such

gaurantee in respect of mine workers. The service is gauranteed under Provision 9:4:2 only in case of death but this provision also has no legal sanctity and is continuing as a practice.

As far as pension is concerned, the Employees Pension Scheme is welcome. The sum of Rs. 900 crore accumulated in Public account of Government of India should be transferred to Pension Scheme Fund so that interest, etc. acruing out of it may add to more benefits to the workers. It is good that family Pension, Child Pension, fully handicapped pension, orphan children pension, all these have been included in this pension scheme but our experience is that the beneficiaries never get the amount on time.

The mine workers are not paid their dues on time under the existing CMPF, Dhanbad. Corruption is rampant there and the workers face a lot of difficulty in getting their pension. Still no provision has been included in the present Bill to obviate such delays. A time-bound provision should be incorporated to ensure timely payment of pension to the workers failing which stringent action should be taken against the officers responsible for such delays. The provision under Sub-section 2 of section '30' will benefit the Government only because there is no difficulty in the deposits of employees contribution and the Government pays only 5.5 percent interest thereon while in banks and other Financial Institution the interest rate is 11 percent. Therefore, even now the workers are not going to get more benefit. I have seen that the BCCL and CCL face lot of difficulties and never get justice. On the face of it, the pension scheme appears to be attractive but difficulties are faced in its implementation. Therefore, some more provision need to be added to this Bill.

The monthly contribution to the pension fund should be 1.25 percent in respect of entire strength of the mine workers. This has been stressed by many trade unions. The Government has given an assurance that it will contribute an amount equal to 1 2/3 percent of the amount deposited by the workers. The company will contribute an amount matching to the amount contributed by the worker. The contribution from Government in this fund will be Rs. 42 crore. This fund will be managed by Government. There are some difficulties which need to be removed. The waitage period should be increased from 2 years to 5 years.

Contigency Fund should also be included in this scheme. The sufferer should be made immediate payment. It has been our experience that payment is not made to the sick worker even after he dies. There should be some gaurantee for this. The entire deposits as per the decision of C.B.T. should be transferred to workers Pension Fund immediately.

Besides these improvements, as many Members have said the Bill should be made more comprehensive.

On the 20th instant, instant, the Hindustan Times and the Times of India published a news item that the Coal India has reportedly told the the M.Ps from West Bengal that the Coal Minister has given directions that all the D.Os should be released only on her instructions. They should be given only to those whom she wants to give. A list of names of 42 persons has also been published. Sir, if this is true, then many types of fresh bunglings will take place. Even now, the Coal India is incurring loss to the tune of Rs. 52 crores. People earned lot of money when it was under private management. If the D.O. system needs Government sanction, then, many scandals will take place. I would, therefore, request the Hon'ble Minister to enlighten the House about these Press reports. The report is very detailed and I do not want to quote it. But if it is true, then big scandals are going to take place in Coal India. The officers involved in burnlings should be punished to save this industry from being mined. Generally, it is said that they have heavy Coal stocks but the fact is that stone is deposited beneath the upper layer of coal and thus money is extracted by giving false reports. The Coal Mine owners amassed considerable wealth when this company was under private management. Today it is a public sector company. Still, it is running into loss. If timely and strict action was not taken, the company may be liquidated.

The Coal India has drawn a Rs. 112 crore scheme. There are certain deficiencies in matter of transportation of Coal by railways. The Coal can be transported from the pit head to the railway sidings by single truck. But the practice is that it is loaded and unloaded at 4-5 places. It causes loss some new system should be evolved to obviate corrupt practices. Rise of corruption will be unfortunate as far as our new Minister is concerned. This is a serious matter and should be taken care of by all concerned.

SHRI DATTA MEGHE (Ramtek) : Mr. Chairman, Sir, I welcome the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Bill, 1996. The trade unions representing 8 to 10 lakh coal mine workers have been demanding pension benefits for these workers. But they have been deprived of them so far. It is said that Government is going to spend Rs. 28.42 crore and a memorandum is being prepared in this regard. But I would plead, that the final draft should be worked out only after having deliberations with the representatives of trade unions. This Bill should be passed without further delay on its has already been delayed considerably. The workers have been agitating for this legislation for so many years and I think this is the result of their continued struggle. This Bill is in the interest of workers, for the good of the workers, it was their demand, therefore, I support it.

SHRI GIRDHARI LAL BHARGAVA : Don't appease them.

SHRI DATTA MEGHE : I am speaking the truth. I am saying what you have said. This will help the Government.

PROF. RASA SINGH RAWAT : It is an expression of your mind.

SHRI DATTA MEGHE : I want to tell the hon'ble Minister that, in Ramtek area, which I represent, there is a very good coal mine. This area is in most backward Vidarbha region of Maharashtra. Local people are not given jobs there. Outsides are appointed. 2 to 10 acres of land have been acquired for mining but the affected people are not being given jobs. The mines located in my region earned a profit of Rs. 34 crore last year. The Coal is available on upper layer and the mines have been identified. But I don't know why extraction work is not taking place. Why so much time is being taken by her department in conducting mine surveys and taking up mining? We have good grade coal in our area. An MECD project was coming up there. This should have helped in better performance. But there is lot of corruption so far as coal is concerned. This has to be looked into. Centeralisation of power will lead to corruption and bring bad name to her. The Government has said that the Minister should not assume special power. Otherwise she will face the same situation as was faced by Shri Thungon. Therefore, the officers responsible for issuing licenses should not be given arbitrary powers. They should do their departmental job. We see press reports on corruption everyday but no enquiry is conducted. I had written a letter to the hon. Minister last time but nothing has ben done. The quota system and permit system should be streamlined. Wrong persons will manage to seek permits because the Minister will not have complete information. It will lead to corruption and the officers will have big hand in it.

What I want to submit is that where mines are good, the local people should be given employment in those mines. The Government is giving jobs those person who posess 10 acres of land but ignoring those having 2-3 crore land. They have great potential. They should be given employment. The rules framed by the Government deprive the local people of jobs but outsiders are easily taken. The mining area is expandable and it is also profit making. Some incentive scheme should be introduced for the officers doing good job and helping the company earn profit inquiry should be instituted against those who indulge in corrupt practices. She must conduct an enquiry on the information supplied by M.Ps or other persons and they should be duly informed of the action taken. The officers sitting there tell us that nothing is going to happen by our writing letters. Out letters are not replied. There is lot of corruption in coal bearing areas. This scheme is meant for the workers who toil day and night and I want that the proposed draft should be framed and implemented as early as possible. Whatever obstacles are there they should be removed immideately.

In this Bill it has been said that a draft scheme will be prepared. We also come from that area, therefore, I want that while preparing the draft scheme our views should be taken into account. Coal workers, representatives of their unions all come to us. We would also like to make some suggestions and those suggestions be taken care of.

I once again welcome the Pension Bil brought here. I would not like to take much of your time. I am grateful to you for giving to me an opportunity to speak on this Bill.

SHRI RAMENDRA KUMAR : Mr. Chairman, Sir, I feel delighted while speaking on this Bill in this House because I have been fighting the cause of coal mine workers for pension outside this House and today I am pleading their case in this House also. I congratulate Smt. Kanti Singh for introducing Coal Mines workers' Pension Bill in this House. I gathered from the Statement made by her that she was prepared to face the criticism and deal with the issues to be raised. This is very good and I hope she will do the same in future also.

Sir, the coal mines' workers have been agitating for the last fifteen years to secure pension and other benefits. The workers in India are getting two benefits. Some are getting pension and gratuity and others Provident Fund but not pension. The Labour is struggling for third benefit. The Government of India is not ready to give this third benefit and therefore, the struggle is on. In coal Mines, we have been fighting for the third benefit and it has its own history. We talked of a pension scheme for Coal workers. Sir, an agreement had been reached long ago with the Central trade unions that two percent will be contributed by coal workers and two percent will be contributed by Coal India. But the Coal India failed to honour its commitment. Sir, the workers had been contributing two percent for pension fund since 1st April, 1989. The scheme was optional. Sh. Basu Dev Acharia was talking of CITU and he was a member of this union but he never contributed two percent of his salary. Our fight is continuing. Last year we did not take two percent from Coal India but secured an additional increment which is equivalent to 1.8 percent. We are fighting to get two percent from Coal India. However, we have been able to get two percent from them and two percent from the workers and created a fund which will include the amount available in the family Pension scheme Sh. Basu Dev Acharia has said that Funds accumulated under Family Pension Scheme will go waste but on this point our colleagues have made some suggestions and this amount can to transferred to pension fund. I would like a new scheme in this regard be included in the Bill.

Under this Bill, the Government of India is being conferred powers to bring a pension scheme for Coal mine workers and notify it in the Gazette of India. The Board of Directors of coal mines have accepted this Position but I have a somewhat different opinion. I would urge upon the union Coal Minister to call a meeting of the representatives of trade Unions to ascertain their views on this scheme. It should be published in the Gazette only after achieving unanimity.

Secondly, as per my knowledge there will be only 8 percent interest on the pension fund while it is 12 percent on Provident Fund. I should suggest the interest rate of 12 percent should be applicable to the Pension Fund. This will result in increased pension to coal workers. I, therefore, demand that interest at the rate of 12 percent may be paid on family Pension Fund which is prevalent throughout India.

The wages of Coal Workers are enhanced after every 3-4 years. Presently, the Government is paying them Rs. 1600. This amount should be revised to Rs. 5000.

Once again, I support the bill. I would like that Government of India should bring this proposed scheme as early as possible. We are very much interested in the details of the Schemes. The Coal workers will benefit only when they get money. Whether the scheme will become operative on the date of its notification in the gazette? Whether it will be made effective from 1.4.89 the date from which workers' contribution had started? There is need to discuss all these points because there can be a difference of opinion on this account.

Sir, I have been connected with coal region for the last 32 years. While dealing in coal, we should not blacken our face. There have been press reports about coal because diamonds are found in the coal mines. The Coal industry was nationalised in two phases in 1971 and 1973. The same are being denationalised and handed other to private sector. This is a serious matter. I do not want to go into the merits of the case but I would certainly like to emphasize that there is a scope for the coal India to increase its profit, provided some effective measures are taken, wasteful expenditure is contained.

Mr. Chairman, Coal is in great demand in our country. There is competition for coal Mining. Money is paid, commission is paid for security D.O. The Coal India has set up regional sales offices in Kanpur, Chandigarh, Ahmedabad, Bhopal, Durgapur, Madras, Bangalore and Mumbai. With what purpose these offices have been set up? I have spoken to the Coal India and they say that their coal is not in demand but their is acute shortage of coal. Their plea is that these regional offices have been opened for accelerating the sale of coal. I would plead, I would request these sales centres should be closed because there is no work. They simply waste crores of rupees without any income. The Coal India intends to increase coal prices. But I would request the hon'ble Minister to check wasteful expenditure of the company instead of increasing the Coal price. The hon'ble Minister is looking at me. It is true that my hair has grown grey but in the Public Sector people say that the guest Houses *(Interruptions)* You are an old Member. I have been elected for the first time but I have the experience of 32 years.

MR. CHAIRMAN : You please continue.

SHRI. RAMENDRA KUMAR : Mr. Chairman, I have never stayed in guest houses. I only want to know why these guest houses have been set up throughout the country? What are their aims? I have 32 years experience of coal sector...*(Interruptions)* I have never been charged of any corruption. If I start exposing you, all of you will run away from here. Sir, take the example of Patna. The Chief Minister of Bihar had said in the Legislative Assembly that he was the Most honest man. He has a house in his name which is rented by Coal India. I dared to challenge him to transfer in my name and inlieu, I would resign. The rent of the house is paid by Coal India which comes to about Rs. 45-50,000. Some houses have been taken on rent in the name of guest house where no guest has Stayed so far and only the owner stays there. The Coal India pays money on account of guest house and spends Rs. 7.5 lakh on its decoration Similar things happen in other Cities of country. Delhi is no exception. 8-10 houses have been taken on rent...*(Interruptions)*

MR. CHAIRMAN : It is all right. You have made a mention. Now please conclude.

(Interruptions)

SHRI RAMENDRA KUMAR : Sir, I am concluding. What I am saying is that the Government of India is not contributing a single paisa in the proposed pension scheme. The entire money is of Coal workers. The coal workers demanded that Government of India should also contribute to this fund but the Government refused. The Government of India has no money for the workers but it is spending crores on luxuries and indulging in wasteful expenditure. Please stop this kind of attitude. I support the Bill brought by the hon'ble Minister on behalf of Coal workers, AITUC in the interest of Coal sector, promotion, strengthening and development of Coal India and for the welfare of the workers. With these words, I conclude.

[English]

SHRI P. UPENDRA (Vijayawada) : Sir, I have a small submission to make. Many new Members have come to this Lok Sabha. They have been allotted seats in the back benches. When they make their maiden speeches, you could encourage them to come a little forward. It would be good for us. Otherwise, we have to crane our necks back and listen to them. They may not be aware of the rules. So, you could encourage them.

[Translation]

MR. CHAIRMAN : Haradhan ji, if you want to come in the front row, you can come and speak from there Upendra ji has made the back bencher a front bencher.

SHRI HARADHAN ROY (Asansol) : Sir, I have given notice. I will speak in Bengali today.

MR. CHAIRMAN : Please wait for a moment. Your Bengali speech will be interperated in Hindi.

SHRI HARADHAN ROY : Sir, should I speak in Hindi?

MR. CHAIRMAN : Well, speak in Hindi.

SHRI HARADHAN ROY : Mr. Chairman, I have been associated with coal Industry for the last 50 years and I have been elected from coaliary areas.

MR. CHAIRMAN : Haradhan ji, if you want to speak in Bengali you can do so. It will be interperted in Hindi. You may speak in your Mother tongue.

[English]

*SHRI HARADHAN ROY : Sir, I will speak in Bengali today. I have given notice earlier.

MR. CHAIRMAN : Please wait a minute. There will be interpretation from Bengali.

SHRI HARADHAN ROY : Sir, I was associated with the Coal workers for more than 50 years. I was there in that area I have witnessed the atrocities meted out to the workers by the owners and also the humiliation. And I participated in trade unions. The Coal Mines' nationalisation did not come out of nothing, but due to the immense struggle and sacrifice of the workers. They lost their jobs. But at last they were compelled to nationalise the mines. I have seen the atrocities and the land and coal being usurped by them which resulted in a great loss to the country. This Bill which has been presented, I think, requires so many amendments because the workers opposed the Bill when it was brought earlier by the Congress Government. A one-day strike was observed to oppose the Bill on 19th Dec. 1995. Though some of the trade unions were not participating, we were with them. We sat on dharna and opposed that Bill. Not only once but so many times they resorted to strikes. My first objection about it is ...*(Interruptions)*

MR. CHAIRMAN : You've got the right to speak in Bengali, please speak.

SHRI HARADHAN ROY : Well, I am speaking. These workers are not fighting for this Pension Fund today only but for a long time. And the coal agreement which was made for the third time on national level, it was decided that the third benefit will be given to them and 2% of the salary will be deducted and 2% by the Government. And with this 4% a Fund will be created to be headed by Trustee Board for which rules and regulations would be framed. But it is sad that the Congress Government which signed the agreement ...*(Interruptions)*

AN HON. MEMBER : Why the Congress Government?

SHRI HARADHAN ROY : Yes, there was the Congress Government then...*(Interruptions)* So, the agreement they signed they themselves did not follow that. The then labour Minister Mr. Sangma tried a lot and later he also become the Coal Minister. The Government which went into an agreement and did not implement it later, they lost its credibility in the eyes of the workers. The fourth National wage Agreement also repeated that 2% will be deducted and 2% will be deposited - that also did not work. It is imperative that the agreement Government of India went into with the workers and the unions should be implemented. And as one of the speakers just told now that CITU opposed the move of deducting 2% - I do not know where from he got this information. All the workers of the Coal India deposited 2% of the salary because this was beneficial for them as third benefit and it was decided that 2% will be deposited by them, and 2% by the Government. But the Government did not stick to it. And now the Bill which has been presented, it says that there is already a Trustee existing but there in no representative from the unions. It will not take up that. About the Coal Mines' Provident Fund I have the information that on account of Pension and other benefits, some Thousand fifty crores of rupees are deposited in this Fund. If the Government reimburse the amount properly, this much money could not be in deposit with the Fund. Some of these workers have died in the mines, some were disabled, some injured and some suffered burns. This money of about say Rs. Thousand fifty crores which was deposited in their PF or Pension, who gave this right to the Government to deposit it in the new Bill. This money should have been reimbursed with interest but this was not done by the Government. And I know *(Interruptions)*... What I want to say.

Sir, is that this Thousand fifty crores which was deposited was but the money of the workers. This money was deposited by the workers and I know that thousands of workers who have retired sat for dharnas through so many years to the Government and the Company. But they did not get the money. So they and their families are starving to death and this is a fact. I would like to draw the attention of the present Government. As the Coal Mines' Provident Fund is a different organisation, I made several correspondences and also raised it in the Parliament. Perhaps as a result of that some people have got the payment but still there are thousands other who have not got it. Even now some Rs. Thousand fifty crores are in deposit but they have got it, they are dying. They die but there is no family Pension made available and they retire but there is no Pension - this is one situation.

MR. CHAIRMAN : Haradhan Babu, please be beief.

SHRI HARADHAN ROY : Yes, I am trying to be brief. See, as I am a backbencher...

MR. CHAIRMAN : Well, everybody has to be given a chance.

SHRI HARADHAN ROY : The Government wanted to gain without spending. The increment given to the workers was deposited in the Pension Scheme. And the workers money is being given as Pension. So that was the money of the workers, there was no contribution of Coal India. I am being told that your increment will go

* Translation of the speech originally delivered in Bengali.

to the pension but there is no contribution of Coal India or the Coal Companies. Those who were employed as on 1.7.1995 were given an increment and this was deducted, on the other hand, as contribution to Pension Fund. And who come after, they are not getting this increment and so they have to contribute after deducting the amount from their own salary. So they are depositing the money by deducting from their budgets. And the Government wanted to implement the Pension scheme accroding to their wish. What I wanted to say - this money will be there for 40 years, as Mr. Basudev Acharya pointed out. They will not get the amount after a certain period. So the amount geets deposited for about 40 years and the rate of interest will be 8%. If a man, the same man, keeps this amount fixed with a Bank, it will be doubled in 5 years. Even in Post Offices, if they deposit the money in either Indira Vikas Patra or Kisan Vikas Patra, the amount will be doubled in 5 years. I think this is an injustice with the workers who will be given only 8% as interest on deposits for 40 years. Another aspect of it is that if a worker dies, his wife or his children will be given pension. But if the wife remarries, her pension will be stopped. Whereas if the man re-marries, his pension will not be stopped, it will go on. What a strange thing! A women will not get the pension if she re-marries, but a man will get it if he re-marreis after his wife's death. Even if the daughter gets marries, the pension will be stopped to be given to her whereas for the son it will continue till he attains the age of 25.

Sir, the scheme of this Bill will be framed by the bureaucrats or the Government machinery concerned. They have already lost the credibility twice by not sticking to the agreements for National Wage Agreement and not giving the pensions as third benefit to the workers.

MR. CHAIRMAN : Haradhan Babu, you have taken a lot of time, please be brief.

SHRI HARADHAN ROY : Sir, just 4-5 minutes more.

MR. CHAIRMAN : No, no, not 5 minutes but only 2 minutes.

16.00 hrs.

SHRI HARADHAN ROY : These people will frame the scheme but neither the workers, nor the trade union leaders nor even this House knows about it. Even then we will give a blank cheque to them that whatever scheme they draw, that will be applicable to all the Coal Mine workers. This cannot go on like this. The scheme should be framed only after discussions with all the trade unions and if necessary, the leaders of all political parties in the Parliament be invited for the discussion. What is being done in the name of the scheme is but inviting for the ruin of the workers. Our Hon'ble Coal Minister is a lady and how the Coal India is behaving with the women workers there should be mentioned. There were about 30,000 women workers in ECL at the time of Nationalisation and now the number has gone down to 9,000 and they were being eliminated, and retrenched from service. These workers generally belonged to SC and ST and they are being retrenched. Even according to the National Wage Agreement (5) it has been said that the women will not get jobs, even if they are dependents. For this they will be given Rs. 2000 per months as monthly stipend. We celebrate Year of Women, we talk about 30% reservation for them in Parliament. Assembly and Panchayats. And there the women workers are being retrenched indiscriminately, they are told to leave the jobs and give it them to some male nominee. Sir, please 2 minutes more...

MR. CHAIRMAN : This 2 minutes you got because you are talking about women, not for another point...

SHRI HARADHAN ROY : Another thing is that Coal India has taken a policy on absenteeism. Why is this being done to the people who do not have hygienic atmosphere to live in, no quarter, no drinking water, lakhs of coal workers live in juggis, they go down the mine, there is no security laws maintained, they are almost ruined, their health is downgraded. In the name of absenteeism, thousands of workers, especially the SC/ST male workers are being dismissed and there are no reimbursement' replacements. This I want to draw attention of the concerned Ministry. Last point of mine is that coal is the sources of 2/3rd of total energy. The coal resources we have in the country can go on for another 150 years. There are above 14-15 other sources. But Government of India especially Coal India is mining everywhere very unscientifically. As a result the mines are catching fire and there is no measures for extinguishing the fire. So the collieries are being closed by the Government. The coal resources of the country are burning and with that the land, villages are in danger. So it is necessary not to close down the collieries but to continue them by following the strict security measures, stablisation, reclamation etc. But we should not close the mines. Closing down the mines the ruin of the country and that of the rural life. It cannot go on like this. With these words, Sir, I conclude with thanks to you.

16.05 hrs.

(Shrimati Geeta Mukherjee *in the Chair*)

[Translation]

SHRI BASANT SINGH KHALSA (Roper) : Madam Chairman, I appreciate the efforts of the Goverment in bringing a Bill to amend the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Act, 1948 and the Family Pension scheme. Out party has in the very beginning said that, although we are in the opposition, but we will support the Government in its effort of adopting welfare measures. This is a commendable job that this Government has done.

Working in Coal Mines is a very arduous job and the coal mines workers must get these facilities. The

most important aspect is that they always live in our atmosphere of insecurity and unsafety. Their life is always in danger. The coal mines generally catch fire and workers are burnt to death. Many a times, the mines cave in and Labourers die. Sometimes, the Mines are deludged and the same results in the death of mine workers.

Another important aspect in the pollution created by coal mines. This causes T.B. among mine workers. They live there with their families in jhuggis near about the coal mines and the disease spreads among them also. The entire family is affected by TB and becomes the causes of their death. Therefore, they need better living conditions and other amenities. The Government has broughs this Bill with these objectives in mind and I congratulate it for the same.

Sir, these workers live in jhuggis because no pucca houses are available there. The jhuggis are flooded and there is no light. They suffer from cold in winter and from heat in summer. They do not have dwelling facilities. They should be given pucca built houses.

The Coal mines workers also work in agricultural fields. The agricultural workers in Punjab come from Bihar. They are engaged in Sowing Paddy and sugarcane. 60 to 70 percent or even more of their agricultural produce of Punjab goes to common pool. These agricultural workers are also labourers like the mine workers. They also come from Bihar. They also need similar amenities. The Coal supply arrangements also need streamlining.

Punjab has two thermal Power Plants. Both need coal to run their plants. Today, there is crisis in these plants. They are not producing electricity. This has been highlighted in the Press and we had also given notice of an Adjournment Motion. The farmers have come on the streets. This has affected agricultural produce and we Could not fullfil our target. We will not be able to Supply Paddy and rice to meet the target.

Sir, I would like to bring to your notice that Punjab is the largest producer of rice. The Government should always be prepared to provide facilities to the workers. They are the weakest section of the society. Most of them belong to scheduled castes and Scheduled Tribes to whom the State Governments, the Central Government and this House have granted many concessions. Different types of reservations have been provided. Their representations are elected to this House on the basis of reservation, and we know that the Coal mine workers, the agricultural workers face immense difficulties because their background is very weak and they are the poorest of all. They are unable to support their families with their own resources Therefore, I urge the Government to pay greater attention to these workers who mostly come from scheduled castes and scheduled tribes. The time is limited. Only we have to discuss Railway Budget also. Then I will speak on Railways, on coal, on Railway Wagons. But here, I would plead that Government should show greater interest in the welfare, in the health and in providing medical care, houses etc. to these people. The Government should make greater contribution to their Provident Fund so that their children get better facilities after the death of the workers. I welcome this Bill because this includes many provision for the welfare of the family of the workers.

Yesterday, Construction Workers Bill was introduced and Sh. George Fernandes made several good points. The Government accepted the amendments and tried to bring a fresh Bill. I congratulate then for this also. It is good that Government is paying more attention towards workers and I support this Bill and plead for its passage.

PROF. RASA SINGH RAWAT : Madam, I welcome the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Bill, 1996 and presuppose that Government will follow a correct policy with good intentions in this regard to make this measure a success because it involves the interest of more than 8 lakh mine workers. All of us know that power is the main input of economic development and 80% energy is generated out of Coal. Contentment of coal workers is a prerequisit for regular supply of coal. They will work in mines, do all connected jobs with dedication and sincerity if they are assured of their future, of their welfare. It is the duty of our welfare state to guarantee so the workers a secured future. It has to take steps in this direction. And therefore, I welcome this Bill. However, I would like to strike a note of caution that corruption, weak official policy, fascist attitute of beaurocracy and corrupt administration. The Government has to take care of these four evils, if it wants that the workers pension scheme, which all of us are praising is implemented properly; it is the moral obligation of the Government and particularly of the lady Minister who is very responsive in such matters.

Our steel plants, power plants are coal based. We are getting about 60% energy from Coal. The existence of these plants depends on Coal and, therefore, we have to ensure adequate and timely supply of coal.

Just now, my hon. Coleague from Punjab was complaining that thermal power plants in Punjab are lying closed for want of coal supply. Rajasthan as well does not get timely supply of coal. The position is that when Coal is available railway wagons are not available, if wagons are available coal is in short supply. This vicious circle causes great hardships. Therefore, while taking care of the welfare of coal mine workers, we should also ensure that coal does not get accumulated at pit heads and pilfered and diverted. The welfare of coal mine workers also lies in timely and proper supply of coal throughout the country.

The Pension scheme should have come long ago, but better late then never. In my opinion, this Bill would not have come, had the 8 lakh strong mine workers had not threatened of a strike in January, the Government whether previous or present whould not have moved.

The 1948 Act covered Family Pension, Provident Fund, Insurance, Payment of Bonus and was applicable to 948 units. On 31st March 1996 it covered 8.13 lakh coal mine workers. Now, the Provident Fund amount is proposed to be transferred to Pension Fund as per the decision of the P.F. Trustee Board I Sould like to know whether various trade unions, whether it is BMS or other organisations, who understand workers problems better are represented in the Trustee Board on not? As the hon. Minister herself has said, the Bill is partial, twelve more items like family pension scheme, etc. are to be added. I do not know what all those twelve provisions are, but if they had been incorporated in this Bill, it would have become a comprehensive Bill.

Jena Sahib, we discussed the Advocates and Judges of the Supreme Court Bill for many hours, why should we be miser in discussing extensively the Bill concerning the welfare of more then 8 lakh coal mine workers?

It is the Government who is responsible for bringing this in comprehensive Bill. It should have brought a comprehensive Bill. We do not know how the pension scheme which we are appreciating, will be implemented. It would be better if an explanatory memorandum was added to the Bill.

I would like to mention one thing more. Accidents generally take place in coal mines. Last year, a serious accident took place in coal mines in Bihar when river water had entered the mines and hundreds of workers were burried under the debris. What provision has been made for those who are killed suddenly during such accidents? I suggest that a provision should be included in the bill to the effect that in case of death, irrespective of length of service rendered, it may be one year, ten years, fifteen years or thirty three years, the mine worker shall be entitiled to pension and other benefits.

The Government is going to implement pension scheme for coal mine workers but I would like to point out that they are working in very difficult condition, there is no lighting arrangements inside the mine, no air conditioning, portable water is not available, safety measures are not upto the standad. Some new technology has been developed which prevents spread of poisonous gas and thus saves the life of the mine worker. I would like that these measures should be taken in these coal mines.

It has to be seen in what environment the families of these workers live in, whether there are arrangements for there schooling, for their medical treatment. Minimum civic amenities should be provided in the colonies these workers live in. All these things come under welfare measures. Government is introducing persion scheme which doesnot cost it anything because entire money will come from the provident fund of the workers. The Government is transferring crores of rupees of workers Provident Fund to pension fund but what is its contribution to this fund? The Government must have some share in. Today, if a worker retires? *...(Interruptions)*

[English]

MR. CHAIRMAN : Prof. Rasa Singh Rawat, kindly conclude.

[Translation]

PROF. RASA SINGH RAWAT : I want your protection for a minute.

Suppose a worker retires today and gets an amount of Rs. 2-4 lacs of his provident fund and keeps the same in fix deposit in the bank or invest it in Indira Vikas Patra or Kisan vikas patra, what amount of interest wiill he get? Will it be more than the pension amount he would get? This has also to be considered. However I welcome the provision made for widow pension and orphan pension.

I will also suggest that the coal mine worker who become entitled to retirement pension P.F. etc. should be given all the relevant documents on the day he retires as is done in case of retiring Government employees. With these words I conclude and thank you for giving me an opportunity to speak.

16.26 hrs.

BUSINESS OF THE HOUSE

[English]

MR. CHAIRMAN : Before hon. Member Shri Chitta Basu speaks, I will make an announcement. The Business Advisory Committee today has decided as follows :

"No Zero Hour from 25th of this month upto passing of Vote on Account;

No Lunch Hour on all the days upto passing of Vote on Account;

No Private Members' Business on Friday, the 26th July 1996, BAC will decide it on an alternate date separately;

Railway Budget debate will take place today and tomorrow;

Tonight and tomorrow night the House will sit late and complete the debate. The Railway Minister will reply on 26th at 12 noon. Dinner will be provided to the Members tonight and tomorrow night; and

Half-an-hour discussion and Calling Attention scheduled for this week stands deferred."